<u>Version with markings to show changes made.</u>

Please cancel claims 7-9 and 30-47.
Please add new claims 48-63.

<u>IN THE CLAIMS:</u>

1.   (Amended)   A method of bookmarking a voice message comprising the step of<u>:</u>

<u>   a.   recording the voice message; and</u>

<u>   b.</u>   marking the voice message in a first bookmark location with a first bookmark <u>while recording the voice message</u> such that a listener accesses the voice message at the first bookmark location by selecting the first bookmark.

2.   (Amended)   The method of claim 1 wherein the first bookmark location is [selected] <u>marked</u> by the listener.

3.   (Unchanged)

4.   (Amended)   The method of claim 3 wherein the first bookmark location is [selected] <u>marked</u> by a person other than the recipient.

5.   (Unchanged)

6.   (Unchanged)

7.   (Cancelled)

8.   (Cancelled)

9.   (Cancelled)

10.   (Amended)   The method of claim 11 [9 wherein the first and second bookmark locations are selected by a person other than the recipient and further] wherein the first and [second] additional bookmarks indicate sections of the voice message.

11.   (Amended)   The method of claim 1 [8] further comprising the step of marking the voice message at additional bookmark locations with additional bookmarks while recording the voice message such that the listener accesses the voice message at the additional bookmarks by selecting the additional bookmarks.

12.   (Amended)   The method of claim 1 wherein the first bookmark location is [selected] marked during an utterance and further wherein the first bookmark location is moved to an utterance beginning location.

13.   (Unchanged)

14.   (Unchanged)

15.   (Unchanged)

16.   (Amended)   The method of claim 1 wherein the first bookmark location is [selected] marked by a listener and further wherein an actual first bookmark location is established at a specified time duration before the first bookmark location marked by the listener [is moved backward in time by a specific time duration].

17.   (Amended)   The method of claim 1 wherein the first bookmark location is [selected] marked using a user interface.

18.   (Unchanged)

19.   (Unchanged)

20.   (Unchanged)

21.   (Amended)   The method of claim 1 wherein the first bookmark location is [selected] marked automatically by a search and locate pattern matching technique.

22.   (Amended)   An apparatus for bookmarking a voice message comprising:
    a.   a storage media to store the voice message;
    b.   a processing unit coupled to the storage media; and
    c.   a user interface coupled to the processing unit such that a user places a first bookmark at a first bookmark location within the voice message using the user interface, wherein the user places the first bookmark while the voice message is recorded.

23.   (Unchanged)

24.   (Unchanged)

25.   (Amended)   The apparatus of claim 22 wherein the first bookmark is [selected] placed during an utterance and further wherein the first bookmark is [moved to] placed at an utterance beginning location.

26.   (Unchanged)

27.   (Unchanged)

28.   (Amended)   The apparatus of claim 22 wherein the processing unit establishes an actual first bookmark location at a specified time duration before the first bookmark location placed by the user [is moved backward in time by a specific time duration].

29.   (Unchanged)

30.   (Cancelled)

31.   (Cancelled)

32.   (Cancelled)

33.   (Cancelled)

34.   (Cancelled)

35.   (Cancelled)

36.   (Cancelled)

37.   (Cancelled)

38.   (Cancelled)

39.   (Cancelled)

40.   (Cancelled)

41.   (Cancelled)

42.   (Cancelled)

43.   (Cancelled)

44.   (Cancelled)

45.   (Cancelled)

46.   (Cancelled)

47.   (Cancelled)

48.   (New) An apparatus for marking and accessing bookmarks within a voice message comprising:

a.   a storage media to store the voice message;

b.   a processing unit coupled to the storage media to automatically search for a predetermined content and automatically bookmark located predetermined content within the voice message; and

c.   a user interface coupled to the processing unit to access the voice message at the bookmark.

49.   (New) The apparatus of claim 48 wherein the processing unit automatically searches for additional predetermined content and automatically bookmarks located additional predetermined content within the voice message.

50.   (New) The apparatus of claim 48 wherein the predetermined content is an utterance and the bookmark is placed at an utterance beginning location.

51.   (New) The apparatus of claim 50 wherein the utterance beginning location is found using an intelligent search.

52   (New) The apparatus of claim 52 wherein the intelligent search includes a voice processing technique.

53.   (New) The apparatus of claim 52 wherein the voice processing technique utilizes a voice parameter, the voice parameter being selected from the group consisting of an amplitude, a plosive, a pitch change, a number recognition, a word recognition, and a combination thereof.

54.   (New) The apparatus of claim 48 wherein the user interface is selected from the group consisting of a graphical user interface, a telephone user interface, a mechanical user interface, and a voice command user interface.

55.   (New) A method of bookmarking a voice message comprising:

a.   automatically searching for a predetermined content within the voice message;

b.   locating the predetermined content; and

c.   automatically bookmarking the predetermined content at a first bookmark location with a first bookmark.

56.   (New) The method of claim 55 further comprising automatically searching for additional predetermined content within the voice message and automatically bookmarking located additional predetermined content at additional bookmark locations with additional bookmarks.

57.   (New) The method of claim 55 wherein the predetermined content is an utterance and the first bookmark is placed at an utterance beginning location.

58.   (New) The method of claim 57 wherein the utterance beginning location is found using an intelligent search.

59.   (New) The method of claim 58 wherein the intelligent search includes a voice processing technique.

60.   (New) The method of claim 59 wherein the voice processing technique utilizes a voice parameter, the voice parameter being selected from the group consisting of an amplitude, a plosive, a pitch change, a number recognition, a word recognition, and a combination thereof.

61.   (New) The method of claim 55 further comprising accessing the voice message at the first bookmark location by selecting the first bookmark.

62.   (New) The method of claim 61 wherein the first bookmark is selected using a user interface.

63.   (New) The method of claim 62 wherein the user interface is selected from the group consisting of a graphical user interface, a telephone user interface, a mechanical user interface, and a voice command user interface.

<u>REMARKS</u>

The Applicant respectfully requests further examination and consideration in view of the above amendments and the arguments set forth fully below. Prior to this Office Action, Claims 1-47 were pending in this application. Within the Office Action Claims 1-47 are rejected. Claims 1, 2, 4, 10-12, 16, 17, 21, 22, 25, and 28 are amended. Claims 48-63 are new. Claims 7-9 and 30-47 are cancelled. Thus, Claims 1-6, 10-29, and 48-63 are currently pending in this application.

<u>Objections to Drawings</u>

Within the Office Action, Figures 1 and 5 are objected to because they contain no legend. New formal drawings for Figures 1 and 5 are included which correct these deficiencies. The Applicant represents that no new matter is added to the new Figures 1 and 5. Accordingly, the Applicant respectfully requests reconsideration of the new Figures 1 and 5.

<u>Rejections Under 35 U.S.C. § 102</u>

Within the Office Action, Claims 1-47 are rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,199,076 to Logan et al. (hereinafter "Logan"). The Applicants respectfully traverse these rejections.

Logan teaches an audio program and message distribution system in which a host system organizes and transmits program segments to client subscriber locations. A player subsystem located at a client subscriber location automatically plays a predetermined schedule of audio program segments; the player subsystem also includes simple controls that allow the listener to perform one or more functions (Logan, col. 2, lines 6-11). One such function includes identifying a program segment as a bookmarked item (Logan, col. 3, lines 42-45).

Before a program segment can be bookmarked using the player subsystem, the player subsystem must first download and locally store the program segment (Logan, col. 7, lines 10-13). The program segment is pre-recorded and stored on the host system before being made available for download to the player subsystem (Logan, col. 5, lines 53-95). Once the program segment is downloaded and stored on the player subsystem, a user can perform a "MARK" function to place a bookmark into a usage log which identifies the program segment (Logan, col. 16, lines 7-9). As such Logan teaches associating a bookmark with a *pre-recorded* program segment.

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Amended independent Claim 1 is directed to a method of bookmarking a voice message. The method of Claim 1 includes recording the voice message and marking the voice message in a first bookmark location with a first bookmark **while recording the voice message**. As discussed above, Logan teaches a method of associating a bookmark with a pre-recorded program segment. For at least these reasons, amended independent Claim 1 is allowable over Logan.

Claims 2-6 and 10-21 are dependent on independent Claim 1. As stated above, amended Claim 1 is in a condition for allowance. Accordingly, Claims 2-6 and 10-21 are also in a condition for allowance.

Amended independent Claim 22 is directed to an apparatus for bookmarking a voice message including a storage media, a processing unit, and a user interface. Using the user interface, a user places a first bookmark location within the voice message, wherein the user places the first bookmark **while the voice message is recorded**. As discussed above, Logan teaches an apparatus to associate a bookmark with a pre-recorded program segment. For at least these reasons, amended independent Claim 22 is allowable over Logan.

Claims 23-29 are dependent on independent Claim 22. As stated above, amended Claim 22 is in a condition for allowance. Accordingly, Claims 23-29 are also in a condition for allowance.

Further, within the Office Action, it is stated that Logan teaches that a bookmark location is marked automatically by a search and locate pattern technique. To support this assertion, column 40, lines 55-65 of Logan are cited. The Applicants respectfully disagree with this conclusion. Within the cited passage of Logan, Logan teaches adding additional software to a technicians editing computer, such as speech recognition technology, to automatically identify speaker changes and to automatically generate segment records. However, the process of bookmarking is not completed until such a segment record is associated with a particular program segment. To this, Logan teaches that a monitoring program "...prompts the technician to associate the record with data in the transcript." As such, the technician is required to make the association. Therefore, only the identification of a bookmark tag, or segment record, is automated by Logan. Logan does not teach automating the entire bookmarking process.

New independent Claim 48 is directed to an apparatus for marking and accessing bookmarks within a voice message. The apparatus includes a storage media to store the voice message, a processing unit to **automatically search** for a predetermined content and **automatically bookmark** located predetermined content within the voice message, and a user

interface to access the voice message at the bookmark. As discussed above, Logan does not teach automating the entire bookmarking process. For at least these reasons, the independent Claim 48 is allowable over Logan.

Claims 49-54 are dependent on independent Claim 48. As stated above, Claim 48 is in a condition for allowance. Accordingly, Claims 49-54 are also in a condition for allowance.
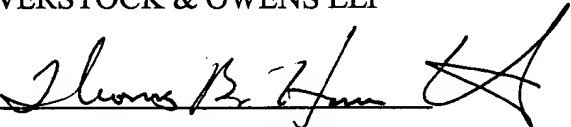
New independent method 55 is directed to a method of bookmarking a voice message. The method includes **automatically searching** for a predetermined content within the voice message, locating the predetermined content, and **automatically bookmarking** the predetermined content at a first bookmark location with a first bookmark. As discussed above, Logan does not teach automating the entire bookmarking process. For at least these reasons, the independent Claim 55 is allowable over Logan.

Claims 56-63 are dependent on independent Claim 55. As stated above, Claim 55 is in a condition for allowance. Accordingly, Claims 56-63 are also in a condition for allowance.

For the reasons given above, Applicants respectfully submit that the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

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